

**Statements by the United States at the Meeting of the WTO Dispute Settlement Body**

**Geneva, January 25, 2017**

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
  - A. UNITED STATES – ANTI-DUMPING MEASURES ON CERTAIN HOT-ROLLED STEEL PRODUCTS FROM JAPAN: STATUS REPORT BY THE UNITED STATES (WT/DS184/15/ADD.168)
    - The United States provided a status report in this dispute on January 12, 2017, in accordance with Article 21.6 of the DSU.
    - The United States has addressed the DSB’s recommendations and rulings with respect to the calculation of anti-dumping margins in the hot-rolled steel anti-dumping duty investigation at issue.
    - With respect to the recommendations and rulings of the DSB that have yet to be addressed, the U.S. Administration will work with the U.S. Congress with respect to appropriate statutory measures that would resolve this matter.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB
  - B. UNITED STATES – SECTION 110(5) OF THE US COPYRIGHT ACT:  
STATUS REPORT BY THE UNITED STATES (WT/DS160/24/ADD.143)
    - The United States provided a status report in this dispute on January 12, 2017, in accordance with Article 21.6 of the DSU.
    - The U.S. Administration will continue to confer with the European Union, and to work closely with the U.S. Congress, in order to reach a mutually satisfactory resolution of this matter.

1. SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB

C. EUROPEAN COMMUNITIES - MEASURES AFFECTING THE APPROVAL AND MARKETING OF BIOTECH PRODUCTS: STATUS REPORT BY THE EUROPEAN UNION (WT/DS291/37/ADD.106)

- The United States thanks the European Union (“EU”) for its status report and its statement today.
- The EU measures affecting the approval and marketing of biotech products continue to be characterized by lengthy, unpredictable, and unexplained delays in approvals.
- For example, the EU’s scientific review process has slowed in recent years. Many corn and soybean products have now been under consideration by the EU’s scientific authority for several years. Furthermore, the EU has recently proposed regulations that create more, rather than less, uncertainty with regard to the information required for scientific evaluation of biotech products.
- The delays in approvals cause adverse effects on trade, particularly with respect to soybeans and corn.
- The United States encourages the EU to ensure that products in the biotech approval pipeline move forward in a timely manner, as required by EU regulations and WTO rules.

2. UNITED STATES – CONTINUED DUMPING AND SUBSIDY OFFSET ACT OF 2000: IMPLEMENTATION OF THE RECOMMENDATIONS ADOPTED BY THE DSB

A. STATEMENT BY THE EUROPEAN UNION

- As the United States has noted at previous DSB meetings, the Deficit Reduction Act – which includes a provision repealing the Continued Dumping and Subsidy Offset Act of 2000 – was enacted into law in February 2006. Accordingly, the United States has taken all actions necessary to implement the DSB’s recommendations and rulings in these disputes.
- We recall, furthermore, that the EU has acknowledged that the Deficit Reduction Act does not permit the distribution of duties collected on goods entered after October 1, 2007, over nine years ago.
- Nevertheless, the EU continues to request status reports in this matter. As we have already explained at previous DSB meetings, the United States fails to see what purpose would be served by further submission of status reports which would repeat, again, that the United States has taken all actions necessary to implement the DSB’s recommendations and rulings in these disputes.
- Indeed, as the EU has demonstrated repeatedly when it has been a responding party in a dispute, such as in the *EC – Large Civil Aircraft* dispute, there is no obligation under the DSU to provide further status reports once a Member announces that it has implemented those DSB recommendations and rulings, regardless of whether the complaining party disagrees about compliance.

3. CHINA – CERTAIN MEASURES AFFECTING ELECTRONIC PAYMENT SERVICES

A. STATEMENT BY THE UNITED STATES

- The DSB adopted its recommendations in this dispute in August 2012, and the reasonable period of time has long since expired.
- China issued a regulation several months ago that purports to set out a licensing application process for foreign electronic payment services (EPS) suppliers.
- However, the only entity authorized to provide EPS in China remains a business set up by the People's Bank of China and other Chinese Government-related entities.
- The United States urges China to ensure that foreign EPS suppliers may apply for and receive permission to operate in China, in accordance with China's WTO obligations.

4. CHINA – DOMESTIC SUPPORT FOR AGRICULTURAL PRODUCERS

A. REQUEST FOR THE ESTABLISHMENT OF A PANEL BY THE UNITED STATES (WT/DS511/8)

- As explained at the December 16, 2016, DSB meeting, the United States is concerned that China provides domestic support for agricultural producers at a level in excess of the commitments it agreed to when it joined the WTO.
- In particular, the United States is concerned that China's market-price support for wheat, rice, and corn each exceeds China's permissible level of domestic support for agricultural producers.
- The U.S. panel request specifies the U.S. claims under the *Agreement on Agriculture*.
- The United States therefore requests again that the DSB establish a panel to examine the matter set out in the U.S. panel request with standard terms of reference.